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SEP 21 2007

In re Application of : **OFFICE OF PETITIONS**
Williams : DECISION ON PETITION
Application No. 09/652,387 :
Filed: August 31, 2000 :
Atty. Dkt. No.: 253/232 :

This is a decision on the petition for revival under 37 CFR 1.137(b), filed January 14, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is not a final agency decision.

This application became abandoned February 6, 2003 for failure to timely submit a proper reply to the final Office action mailed September 5, 2003. The final Office action set a three month shortened statutory period of time for reply. A two month petition for extension of time was timely requested. Notice of Abandonment was mailed November 16, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(l); (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The instant petition fails to satisfy requirement (1) set forth above. A proper reply to the outstanding final Office action has not been submitted. Petitioner indicates that a request for continued examination (RCE) is submitted as the required reply.

While the fee for an RCE was received herewith, no such RCE and required submission appear to have been submitted.

Any renewed petition must be accompanied by a proper response to the outstanding Office action. The reply may consist of an RCE (along with required submission); continuation application; Notice of Appeal; or an amendment that *prima facie* places the application in condition for allowance. Concerns regarding the nature of the reply to the outstanding Office action must be directed to the examiner of record.

Further correspondence with respect to this matter should be addressed as follows:

By mail: **Mail Stop Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By hand: U.S. Patent and Trademark Office
Customer Service Window
Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this decision on petition may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
Petitions Attorney
Office of Petitions

Enclosure